

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Bobby T. Sheppard,	:	<i>Death Penalty Case</i>
	:	
Petitioner,	:	Case No. 1:00cv493
	:	
-vs-	:	Judge Walter Herbert Rice
	:	
Margaret Bagley, Warden,	:	Magistrate Judge Merz
	:	
Respondent.	:	

PETITIONER'S MOTION FOR SUBSTITUTION OF COUNSEL

Petitioner Bobby T. Sheppard respectfully moves to substitute counsel.

Petitioner's current counsel, the law firm of Murray Murphy Moul + Basil LLP, has filed a motion to withdraw as counsel of record on behalf of Petitioner Bobby T. Sheppard.

Petitioner requests that Douglas A. Funkhouser be substituted as counsel. Mr.

Funkhouser's resume is attached hereto as Exhibit 1. Mr. Funkhouser has expressed an interest in representing Petitioner and is qualified to do so. In fact, Geoff Moul believes Mr. Funkhouser to be one of the finest young criminal defense attorneys in Columbus.

Mr. Funkhouser has been made aware of all orders and upcoming assignment dates affecting the client. The Ohio Public Defender's Office remains as co-counsel of record for Petitioner. Inasmuch as Petitioner's motion will cause no prejudice to Respondent or affect any deadlines in this matter, Petitioner requests that it be granted.

A proposed Order has been sent to Magistrate Judge Merz via electronic mail pursuant to the Electronic Filing Policies and Procedures Manual for the United States District Court for the Southern District of Ohio.

Respectfully submitted,

s/Geoffrey J. Moul

Geoffrey J. Moul (0070663)

Brian K. Murphy (0070654)

Murray Murphy Moul + Basil LLP

1533 Lake Shore Drive

Columbus, Ohio 43215

Telephone: (614) 488-0400

Facsimile: (614) 488-0401

Email: moul@mmmb.com

CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Charles L. Wille
Carol Ann Ellensohn
Assistant Attorney General
Capital Crimes Section
30 E. Broad Street, 23rd Floor
Columbus, OH 43215

s/Geoffrey J. Moul